

# CLEAN WATER ACT §404 INSPECTION REPORT

## IDAHO

<b>INSPECTOR(S):</b>	Carla Fromm, EPA (208) 378-5755
<b>DATE:</b>	May 3, 2007
<b>CITY/STATE:</b>	Priest Lake, Idaho
<b>VIOLATOR(S):</b>	Mike and Chantell Sackett
<b>PHONE NO.:</b>	Exemption 6 - Personal Privacy Chantell Sackett's cell
<b>ADDRESS:</b>	1604 Kalispell Bay Road, Priest Lake, ID 83856
<b>LOCATION:</b>	NE1/4 of Section 12, T60N, R5W; east side of Priest Lake
<b>PURPOSE OF INSPECTION:</b>	To respond to a complaint about wetlands being filled at the property.
<b>FINDINGS:</b>	<p>When Barbara Benge (U.S. Army Corps of Engineers, "Corps"), John Olson (EPA) and I arrived, a dump truck was delivering a load of fill and an excavator operator was pushing fill into excavated wetlands. I asked the truck driver if she was in charge and she directed me to the excavator operator. I introduced myself and showed him my credentials. His name was Chris. He said the boss was Mike Sackett, Sackett Construction and Excavating. Chris did not have a CWA Section 404 permit from the Corps with him, so he called the office to talk to Mike about our arrival and our request to see the permit. He was not able to reach Mike. I suggested he not proceed with filling of the lot until he heard back about the permit.</p> <p>John paced off the area that was filled, and took some photographs of the site. The area filled was approximately 300 feet by 100 feet. Chris explained he had been told to fill the whole lot. Along both the east and west property boundaries, strips of excavated ground remained to be filled. These strips of excavated ground revealed wetland soils. The vegetation on neighboring properties and on the south end of the Sackett lot consisted of the wetland species, including red osier dogwood and alder.</p> <p>We looked for culverts connecting the wetland to either the wetland on the north side of Kalispell Bay Road or connecting the wetland to ditches or another waterway draining into Priest Lake to the south. We did not see culverts under either Kalispell Bay Road or Old Snyder Road which is between the wetland and Priest Lake. The wetland to the north of Kalispell Bay Road drains via what appeared to be a roadside ditch to Kalispell Creek which flows into Priest Lake.</p> <p>Chris decided to leave early to start his weekend. He explained that a load of dirt had been placed at the entrance to the lot to keep people from driving in.</p> <p>Prior to leaving the site at about 3:30pm, a neighbor spoke with John Olson, explaining that occasionally water comes over the road from the wetland to the north, flowing into the filled wetland. The neighbors to the east of the Sackett's lot told us the area filled had looked exactly like their backyard.</p>
<b>FIRST INSPECTION:</b>	Yes
<b>SUBSEQUENT INSPECTION:</b>	No
<b>FOLLOW-UP ACTIONS:</b>	Determine if we have jurisdiction over the wetlands on the site.
<b>PHOTOGRAPHS? (Y/N):</b>	Yes, photographs were taken to document the inspection.

**PREPARED BY:** Carla Fromm

**DATE PREPARED:** July 22, 2007